

3-14-05

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Application Number	09/523,079
Filing Date	March 10, 2000
First Named Inventor	Brian L. Gerhardt
Art Unit	3627
Examiner Name	O'Connor, Gerald J.
Attorney Docket Number	13DV-13466

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply (10 pages)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Certificate of Express Mail and Return Postcard

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-2384
- a. ☒ RCE fee required under 37 CFR 1.17(e) (\$790.00)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other Any additional fees, including for any conditional extension of time.
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Alan L. Cassel	Registration No. (Attorney/Agent)	35,842
Signature	<i>Alan Cassel</i>	Date	March 11, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09523079

03/15/2005 10:00:00 AM 012384 790.00 DR

Express Mail No. EL 977 934 936 US

13DV-13466
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian L. Gerhardt

Serial No.: 09/523,079

Filed: March 10, 2000

For: VIRTUAL WAREHOUSE
PARTS DISTRIBUTION
SYSTEM AND PROCESS

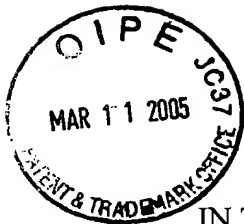
:
: Art Unit: 3627
:
: Examiner: O'Connor, Gerald J.
:
:
:
:
:

AMENDMENT

Mail Stop: RCE
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that this Application be removed from Appeal and examined under a Request for Continued Examination (RCE) filed herewith. Please amend the above identified application as follows.



13DV-13466
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian L. Gerhardt :
Serial No.: 09/523,079 : Art Unit: 3627
Filed: March 10, 2000 : Examiner: O'Connor, Gerald J.
For: VIRTUAL WAREHOUSE :
PARTS DISTRIBUTION :
SYSTEM AND PROCESS :

**CERTIFICATE OF MAILING BY EXPRESS MAIL TO
THE COMMISSIONER OF PATENTS AND TRADEMARKS**

Express Mail mailing label number: **EL 977 934 936 US**

Date of Mailing: **March 11, 2005**

I certify that the documents listed below:

- Certificate of Express Mailing (1 page)
- Request for Continued Examination (RCE) Transmittal (1 page, in duplicate)
- Amendment (10 pages)
- Return Post Card

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to: Mail Stop: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Alan L. Cassel
Reg. No. 35,842
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63102-2740
(314) 621-5070